

**NEGATIVE DECLARATION  
REDWOOD CITY, SAN MATEO COUNTY, CALIFORNIA**

**REVISED****Project Description:**

- 1. Applicant:** Mark Sanders
- 2. Proposed location:** 1501-1599 Seaport Boulevard
- 3. Proposed Action:** Construction of a new 408 slip marina, boat maintenance area, 10,000 square foot restaurant and 20,000 square feet of support retail with approximately 400 parking spaces on 42 acres located south of the Pacific Shores Center project. The project is located in the 'TP' (Tidal Plain) Zoning District.

**Negative Declaration Mitigation Measures:**

1. The applicant shall obtain a Conditional Use Permit from the Zoning Administrator prior to issuance of a building permit.
2. The applicant shall obtain an exception from the Planning Commission per the requirements of Chapter 30 of the Redwood City Code (relating to parcels which do not have frontage on a public right of way) prior to any construction activities.
3. A maximum of 65 liveaboards shall be allowed in order to limit traffic impacts.
4. A Soils and Geotechnical Report shall be prepared, and submitted to the Engineering Division of Redwood City Community Development Services, as well as to BCDC, the U.S. Army Corps of Engineers (Section 404 permit) prior to issuance of a Building Permit. In addition, a drainage plan, an erosion and sedimentation plan and a storm water pollution prevention plan (conforming to NPDES requirements) shall be submitted and approved by the City Engineering Division, BCDC, U.S. Army Corps of Engineers prior to the beginning of development and construction activities. All disturbed portions of the drainage ditch which separates the project site from Pacific Shores shall be restored to preexisting conditions prior to issuance of final permit by the Redwood City Building Division.
5. A Dirt Hauling Permit shall also be required for the anticipated importation of topsoil to the site. A similar permit will be required in the event that soil is exported from the site, (the bittern materials referred to in section III will be exported by rail but will require that the applicant

submit a Closure Plan to the Redwood City Engineering Division prior to the issuance of a grading permit).

6. The applicant will be required to implement dust control measures during site preparation and construction activity in order to help reduce this temporary impact.
7. The applicant shall provide a second point of access to the perimeter road around the marina basin at a location as shown on figure 2, page 6 of the RKH traffic study for the proposed project, prior to issuance of a Building Permit. The secondary access point could be designated for emergency access only and be controlled by a locked chain gate, as determined by the Redwood City Fire Department.
8. The marina access road connection to the Pacific Shores Center perimeter street should be "Stop" sign controlled.
9. A Traffic Impact fee of \$285.30 per boat berth shall be paid by the applicant prior to issuance of a Building Permit.
10. **(REVISED)** The applicant shall coordinate with the U.S. Fish and Wildlife Service and California Department of Fish and Game to determine an appropriate location for the recreating the roost site. The applicant shall also submit specific design plans for "the island" to the Community Development Department Services of Redwood City for review and approval prior to obtaining the grading permits for the project. Community Development Services shall require that the applicant submit written approvals from the U.S. Fish and Wildlife Service and Department of Fish and Game of roost site mitigation plan as evidence of compliance with this measure.
11. The applicant shall obtain all necessary permits, (including a Section 401 permit or certification) from the San Francisco Regional Water Quality Control Board for all applicable activities, as determined by that agency.
12. The applicant shall obtain an Architectural Permit for all landscaping improvements prior to installation. These plans shall comply with the regulations of the concerned agencies (including BCDC and Fish and Wildlife Service and the Department of Fish and Game) and shall also conform to the Redwood City Water Conservation Guidelines.
13. Noise levels during project construction as well as noise levels occurring during the regular course of operation of the marina facility shall be kept to a level of compliance with all applicable agency standards

(including the BCDC, Fish and Wildlife Service, Department of Fish and Game standards for noise mitigation) in order not to detrimentally impact any neighboring "habitat". The applicant shall coordinate a wildlife-monitoring program with the Department of Fish and Game and the Fish and Wildlife Service.

14. The applicant shall submit a Lighting Plan with a photometrics study for review and approval by Community Development Services, and all applicable agencies (for example, BCDC, Fish and Wildlife Service, Department of Fish and Game) to insure that the site is adequately, but not excessively lit for night time use and security.

15. The applicant shall coordinate with the Redwood City Fire Department and San Mateo County Office of Environmental Health a Hazardous Materials Plan prior to issuance of a Building Permit for the project.

16. The applicant shall obtain all necessary clearances from the San Mateo County Health Services Agency pertaining to soil contamination on the site prior to construction.

17. The applicant shall obtain an Architectural Permit for site, building, signs, lighting and landscape/irrigation improvements from Redwood City Community Development Services.

18. The project shall meet all necessary requirements of the Redwood City Fire Department which could include the installation of a fire sprinkler system for all applicable buildings.

19. The applicant shall underground all overhead utility lines.

20. The applicant shall obtain a Building Permit from Redwood City Community Development Services prior to construction.

SEE ADDITIONAL MITIGATIONS # 21. THROUGH # 48 IN COMPANION STAFF REPORT TO PLANNING COMMISSION DATED 10/16/01

**Contact Person:**

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Initial Study - *Marina*

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Principal Planner



(19)

**REDWOOD CITY  
PLANNING COMMISSION****STAFF REPORT**

**DATE:** October 16, 2001

**FILE:** EA 10913-01 and U10142-9

**PROJECT PLANNER:** Charles Jany  
(650)780-7239  
[cjany@redwoodcity.org](mailto:cjany@redwoodcity.org)

**APPLICANT:** Mark Sanders. DES (Architects), Bohley Maley (Civil Engineers)

**PROPERTY OWNER:** Mark Sanders, 280 Bernardo Way, Mountain View, CA 94043.  
(650) 526-1600

**LOCATION:** 1501-1599 Seaport Boulevard; located at the terminus of Seaport Boulevard, Parcel 2, Document 99076172, San Mateo County Assessor's Office.

**ZONING DISTRICT:** 'TP' (Tidal Plain) District.

**PUBLIC HEARING:** Continued from 9/18/01      **NO. OF LEGAL NOTICES MAILED:** NA

**LEGAL NOTICE PUBLISHED:** NA

**APPLICATION REQUEST:** To certify a Negative Declaration for a proposed new Marina Facility. If certified, the Planning Commission should make a recommendation to the Zoning Administrator on the Use Permit to allow a marina operation on that site.

**RECOMMENDATIONS:**

- Approve the Negative Declaration with the associated mitigation measures.
- Recommend approval of the Use Permit to the Zoning Administrator with the staff recommended findings.

**GENERAL PLAN DESIGNATION AND CONFORMANCE:** The General Plan designates the project site for "Open Space." The site is zoned 'TP' (Tidal Plain) District and the proposed use is consistent with the General Plan land use designation.

**SITE DESCRIPTION:** The project area is about 42 acres and consists of vacant land that was formerly used by the Cargil Salt Company. There is currently a pond which contains "bittern" (a toxic bi-product of the salt production process). To the North is the Pacific Shores Center office complex, to the East is Westpoint Slough, with Greco Island beyond. To the West and South are cristalizer ponds operated by Cargil.

**PROJECT DESCRIPTION:** The proposed project will involve the construction of a new 408 slip marina, boat maintenance area, 10,000 square foot restaurant and 20,000 square

feet of support retail with approximately 400 parking spaces on 42 acres. Access to the site is expected to be from the Pacific Shores Center project area.

#### **BACKGROUND:**

The Planning Commission held a Public Hearing regarding the subject application on September 18, 2001. At that time, oral testimony was received regarding the Initial study for the Westpoint Marina. A significant amount of written comments on this project were also received immediately prior to this public hearing, some expressing support for the project, some asking for further clarification. The Planning Commission subsequently continued the public hearing in order to have adequate time to review the comments and also to allow enough time for staff and the project consultants to prepare their responses. The developer has also provided staff with responses relating to the proposed development of the project, which have been attached to this report.

As a result of these comments, a total of **28** new mitigation measures (see below) have been recommended for incorporation to the original mitigated Negative Declaration. This includes **15** new mitigation measures related to biotics and **13** new mitigation measures related to project development and operation as well as engineering issues, (in bold).

#### **RESPONSES TO COMMENTS:**

##### Index of comments requiring responses received within the CEQA review period:

- A. Fish and Wildlife Service letter (9/18/01)
- B. Sequoia Audubon Society letter (9/18/01)
- C. Fish and Wildlife Service letter signed by Clyde Morris (9/18/01)
- D. Citizens to Complete the Refuge letter (9/15/01)
- E. Sanger and Olson letter for Pacific Shores (9/17/01)
- F. Seaport Industrial Association letter (9/17/01)
- G. Port of Redwood City letter (9/18/01)

##### Categories in the Initial Study affected by the above comments:

- I. Land Use (E,F,G)
- II. Population (E,G)
- III. Housing (F)
- IV. Earth (C,E,F,G)
- V. Water (A,B,C,D,E,F,G)
- VI. Air Quality (E,G)
- VII. Transportation/Circulation (E,F)
- VIII. Plant Life (A,C,D,E)
- IX. Animal Life (A,B,C,D,E)
- X. Energy (E)
- XI. Light and Glare (A)
- XII. Risk of Upset (A,B,C,D,E,G)
- XIII. Noise (A,C,E,G)
- XIV. Public Services
- XV. Public Utilities (E)
- XVI. Aesthetics (E)
- XVII. Human Health (E)

- XVIII. Recreation (E)
- XIX. Archaeological/Historical
- XX. Mandatory Findings of Significance (E)

### RESPONSES RELATED TO BIOTICS

The Following provides the City's Biotic Consultant's (LSA) responses to comments received on the Westpoint Marina project Initial Study. The responses are formatted in the following manner. As indicated above, each comment letter was assigned a letter (A through G), (Note: letters in support of the project that did not contain substantive comments on the Initial Study were not addressed). Within each letter, individual comments are noted with a Roman numeral (I, II, III, etc.) corresponding to the topic discussions (Air, Water, Plant Life, Animal Life, etc.) in the Initial Study. Each comment was also assigned consecutive number within each letter. An example comment notation is:

A.IX-1 = Letter From U.S. Fish and Wildlife Service Sacramento Fish and Wildlife Office, Initial Study Topic-Animal Life, comment 1

Comment letter designations are as follows:

Many of the comments letters raised questions on similar issues. For these similar topics, we have provided a general response. The general topic responses are followed by specific responses to the individual comments in each letter. If a general comment response adequately addresses the comment, the letter response refers to the appropriate general response. Where additional or strengthened mitigation measures are recommended, we have numbered these measures consecutively following measures contained in the Initial Study (i.e., recommended new measures for biotic impacts begin with number 21).

### **GENERAL TOPIC RESPONSES**

#### **IX-1. Potential For Increased Human Disturbance to Greco Island**

**Comment:** While most commenters voiced support for the Marina project and acknowledged that their concerns can be resolved, several commenters raised concerns that additional measures need to be implemented to restrict human access to Greco Island and other tidal marshes in the area and assure that this important refuge/habitat is not impacted by the increased public use/access from the project. The responsible party for enforcement of the mitigation measures was also raised as an issue.

**Response:** As discussed in the Initial Study and Biological Report, Greco Island is an important habitat area for endangered species such as the clapper rail and salt marsh harvest mouse as well as many other species. The methods recommended for minimizing human intrusion to the island as well as other marshes in the area involved 1) establishing buoys to mark the centerline of the Westpoint Slough Channel to prevent boats from straying onto the shallow mudflats and 2) cooperating with the National Wildlife Refuge to erect signs at the launch sites and

strategic locations at mouths of channels and potential landing spots informing the public not to enter nearby sensitive areas if problems were identified. This latter measure was consistent with the measure required by the U.S. Fish and Wildlife Service (FWS) for the adjacent Pacific Shores Center which also contained a component for a public launch ramp for non-motorized vessels.

The Biological Report authors (LSA) believe the conditions around Greco Island as well as the other islands in the area such as Outer Bair Island create significant physical impediments for human access. Greco and all of the islands in the area are surrounded by broad, shallow mudflats which severely restrict boat access. Even at extreme high tides, there are only a few locations where even paddled, shallow draft boats can reach the vegetated shoreline without grounding on the soft mud. The islands themselves also create formidable challenges to access. The tidal marshes on the islands are wet most of the time and bisected by numerous, several feet deep, steep-sided channels. Greco Island is not a location for casual recreational access. The primary concern that has been expressed in the past was for kayakers trying to explore the narrow marsh channels at high tides. In our experience in the area, we have seen one instance where there was evidence that a kayak went a short ways up one of the new constructed tidal channels on the Deepwater Slough Island off of Redwood Creek (the Pacific Shores Center mitigation site).

Several suggestions were provided to improve the recommended protection measures. The following measures incorporate these suggestions as well as establish specific responsibilities for implementation and monitoring. These additional measures are recommended to be incorporated as conditions of approval for the project.

21. The applicant shall install and maintain buoys down the centerline of Westpoint Slough to identify the "No Wake" speed zone, delineate the center of the channel for adequate draw, and discourage boats from deviating off the navigable channel. The applicant shall also install and maintain a buoy system 100 feet from the salt marsh on Greco Island along Westpoint Slough and Redwood Creek. The buoys shall contain signs informing the public that public access into the marshlands of the San Francisco Bay National Wildlife Refuge is prohibited. The applicant shall coordinate with the San Francisco Bay National Wildlife Refuge on specific wording and locations of the buoys.
22. The Marina Operator/Harbor Master shall be responsible for maintenance of the buoys and annual reporting to the City Planning Department on the conditions of the buoy system, effectiveness of the buoys, and information on observed or reported intrusions onto Greco and other islands. The Harbor Master shall be responsible for reporting intrusions/unauthorized landings on the island to appropriate enforcement agencies (i.e., San Francisco Bay National Wildlife Refuge, Redwood City Police, Coast Guard, etc.).
23. The Applicant shall redesign the project to provide a two story Harbor Master's office in a location that will provide a view of the marina as well as Westpoint Slough/Greco Island. The intent of this measure is provide a

regularly staffed observation location for compliance. The location of the Harbor Masters office shall be submitted to Community Development Services for review and approval prior to obtaining a grading permit for the project.

- ✓ 24. The Marina Operator/Harbor Master shall also adopt appropriate language for all rental contracts for marina slips and for boat launching that include progressive penalties (maximum one warning with the second time expulsion for a minimum of 1 year) for violating access restrictions onto Greco and other islands. The applicant shall submit the wording and draft contract to Community Development Services for review and approval prior to issuing the certificate for occupancy.
- 25. The Marina Operator/Harbor Master shall also install and maintain information signs at the boat launch and other public access areas informing the public of the access restrictions on Greco Island and other wetlands in the San Francisco Bay National Wildlife Refuge. The draft wording and locations of the signs shall be coordinated with the U.S. Fish and Wildlife Service San Francisco Bay National Wildlife Refuge and Bay Conservation and Development Commission and shall submit the plans for the locations, layout, and wording for the signs to Community Development Services for review and approval.

The applicant has also explored several options for monitoring and enforcement of the buoy system and has had discussions with the District Staff Officer for Marine Safety, US Coast Guard Auxiliary. They asked that Westpoint Marina provide a site for their routine meetings as well as a location for a patrol boat, since their current site is inadequate. The Coast Guard Auxiliary conducts regular classes on boating safety, environmental education, and perform vessel safety patrols and checks as a regular part of their program. The applicant has agreed to host their activities at the marina and he believes it will be no problem for them to extend their routine patrols in the main channel to include Westpoint Slough. The applicant also believes the Auxiliary would be an obvious choice to maintain the channel markers from the main channel to the entrance to the Marina if this is something the Coast Guard permits. While this may be a viable option for the applicant, it is the Planning Department's opinion that the ultimate responsibility for maintenance and enforcement lies with the applicant.

#### **IX-2. Disturbance to Adjacent Salt Ponds and Fringe Marshes**

**Comment:** In addition to concerns over disturbance impacts to Greco Island, several commenters also raised similar concerns for the adjacent salt ponds, especially once they are restored to tidal marsh or managed for other values, and the fringe marshes along Westpoint Slough adjacent to the Marina site.

**Response:** The future restoration plans for the remainder of the Redwood City Cargill salt ponds is not known at this time. As we understand, the purchase negotiations between Cargill and the State and Federal governments do not include the Redwood City bittern pond (pond 10) and may not include the nearby crystallizers (Carl Wilcox, CDFG, pers. comm.). The best method to prevent human access would be to create a channel between marina and any restored



marshlands, but this could restrict future restoration options as it may be that the restoration goal for the adjacent pond would be to retain it as a pond, hence retain the levee. The Service has also recommended establishing vegetated buffer strips between the marina and the salt ponds to reduce disturbance and access. The following measures are recommended to address access to the existing fringe marshes along Westpoint Slough and adjacent salt ponds.

26. The applicant shall erect and maintain a minimum 6-foot tall fence east along Westpoint Slough from the end of the public access area around the eastern and southern edges of the property to prevent informal trail establishment and access to adjacent pond levees and fringe marshes.
27. The applicant shall provide a written commitment to the City, Department of Fish and Game and U.S. Fish and Wildlife Service San Francisco Bay National Wildlife Refuge to cooperate on any future restoration plans for the adjacent salt ponds. Future restoration plans unknown.
28. The applicant shall provide visual barriers between the active marina areas and the adjacent salt pond to reduce disturbance to water birds using the salt pond. The visual screening can be achieved through setbacks (85 to 90 feet in width) or through a combination of reduced setbacks combined with landscaping or other visual barriers (fence slats) that obscure near range views of the salt ponds (less than 100 feet from the human use areas).

For further discussion of disturbance impact to water birds, see pages 17 and 18 in the Biological Report.

### **IX-3. Channel Maintenance Dredging**

**Comment:** Several commenters raised issues regarding the long-term effects of future maintenance dredging for the navigable channel between the Marina and the maintained Redwood Creek channel. The primary stated concern was for the loss of adjacent mudflat habitat.

**Response:** The applicant has stated that he does not expect the Westpoint Slough channel will require dredging. While the applicant has not conducted any detailed studies, it is reasonable to presume the current channel, which is navigable at low tide, is more or less in equilibrium with its drainage area. The contributing area for tidal prism has been relatively static for 50 to 60 years and there has been no substantial visual change in the Westpoint Slough channel over the last 12 years (S. Foreman, pers. obs.). These conditions are unlikely to change in the near term, but the long-term prospects are that substantial areas of the Cargill salt ponds will be restored to tidal action at some point in the future. If this occurs, the increased tidal prism and flow would increase channel scour and could minimize the need for future dredging.

On the other hand, if maintenance dredging is required, it is impossible at this time to accurately evaluate the effects of the dredging without more specific information

on the amount, location, and chemical quality of material to be removed and the method/location of disposal. The Biological Report (page 16) discusses the general effects of dredging that could be expected. Typically, the effects of dredging are short term as benthic invertebrates typically quickly re-colonize dredged areas. It should also be pointed out that any future dredging would be subject to environmental review. Dredging is a highly regulated activity, requiring permits from a minimum of three agencies (Corps of Engineers, BCDC, and Regional Water Quality Control Board) which must be done in consultation with the other agencies such as CDFG, FWS, EPA, and Coast Guard. The Regional Board also requires compliance with CEQA before they can issue a permit. Therefore, any future dredging would be subject to significant public and environmental review. Any required mitigation for adverse impacts such as loss of mudflat habitat would be most appropriately identified at that time based on the specific conditions and merits of that proposed action. Approval of the marina at this point does not provide any clearances or guarantees that future maintenance dredging would be authorized.

#### **IX-4. Increased Tidal Flows from Marina**

**Comment:** Several commenters raised concerns that the increased tidal prism resulting from the new marina inlet could lead to a loss of mudflat habitat because of the increase volume and velocity of water in Westpoint Slough.

**Response:** This is a paradoxical issue or question to the issue discussed in General Comment 3. In General Comment 3, the concern is that the channel will become too shallow over time for boat traffic. If this occurs, there would be an increase in mudflat habitat over time for at least the period between maintenance dredging events. The concern expressed for this issues is the opposite, the potential for increased scour that would widen and deepen the channel. Although one commenter pointed out that marina boat basin would add on the order of 4.9 million cubic feet of water/flow twice a day, this amount of water would be a relatively minor contributing source to the drainage area/volume for Westpoint Slough. We have evaluated this potential impact from different standpoints and believe that available information suggests significant changes in the extent of the mudflats along Westpoint Slough are unlikely.

First, looking strictly from an empirical standpoint at the changes in contributing area, the existing drainage area for Westpoint Slough includes approximately 6,500 feet of Westpoint Slough as well as First Slough. This area covers approximately 182 acres of open water at high tide. Additional water would be contained within the channels on Greco Island as well as other marshes along the sloughs. For the purposes of this analysis, this water was not considered in looking at the potential effects of the marina. At low tide, approximately 81 acres of open water would remain in the channel. The marina boat basin is 14 acres, which conservatively represents 7 to 8% of total open surface water area at high tide and 17% at low tide. At mid tide when flow velocity is highest, the boat basin would contribute somewhere between 8 and 17% of the total flow.

Second, Bohley Consulting also provided additional information with respect to this issue by comparing the estimated volume of water and flow velocity. Bohley Consulting estimates the additional volume of bay water that would be created by the Marina basin will be on the order of 270 acre-feet. Of that volume,



approximately 140 acre-feet will flow in or out as the tides rise and fall. For example, with an average tidal range of eight feet between high and low tide, an average inflow or outflow velocity of approximately 0.4 feet per second would be attained through the opening into Westpoint Slough from the Marina. From a scouring standpoint, this velocity can be compared to a generally accepted minimum scour velocity of 3.5 feet per second for reasonably consolidated clays.

During a falling tide the amount of water discharging from the Marina entrance (approximately 140 acre-feet as above) will be small compared to the amount of water flowing westward in Westpoint Slough (approximately 2,000 acre-feet) toward Redwood Creek. Intuitively, the outflow coming from the Marina entrance will have its velocity direction changed from perpendicular to Greco Island to parallel with the centerline of Westpoint Slough before there can be any potentially significant erosion or scour of the mud flat of Greco Island across from the Marina entrance.

Third, we also reviewed information from the Bay Ecosystems Goals Project with respect to potential future conditions in the area. The future restoration of thousands of acres of salt ponds in San Francisco Bay to tidal action is becoming a real possibility. As part of a multi-year and comprehensive evaluation of what the future conditions of the Bay ecosystem should look like, The Baylands Ecosystem Habitat Goals Project (1999) raised the concerns that large scale tidal restoration efforts could disrupt the sediment balance in the bay and result in a substantial decrease in mudflat habitat for shorebirds and waterfowl. As part of the planning effort, the Goals Project Hydrogeomorphic Advisory Team evaluated this issue. Their general consensus was that tidal marsh restoration was not likely to significantly reduce bayside mudflats. The Hydrogeomorphic Advisory Team estimate was that about 10 to 15% of mudflat habitat near a restored tidal marsh site could be lost under a "worst case" scenario. Compared to the potential increases in tidal prism and volumes resulting from the potential restoration of potentially hundreds of acres of the Redwood City salt ponds to tidal marsh, the minor increase in tidal prism from the marina into Westpoint Slough is minimal.

In summary, the marina could result in some minor changes in the mudflats along Westpoint Slough. These changes, however, are not likely to be significant given: 1) the relatively minor contribution of the boat basin to the total drainage area for the slough; 2) the information from the Goals Project that projected minimal changes to mudflats from tidal restoration for areas which substantially greater tidal volume; and 3) the substantial potential future increases in tidal flow in Westpoint Slough when substantial areas of the Redwood City salt ponds are restored. Even if there are minor changes in the mudflats along Westpoint Slough, mudflats are extensive in the adjacent bay and tidal channels and minor changes are unlikely to make mudflat feeding habitat a limiting resource.

#### **IX-5. Island Mitigation**

**Comment:** Several commenters expressed concerns for the ability to construct the islands in an area that would provide the same benefit to the shorebirds and other waterbirds.

**Response:** The intent of the recommended mitigation measure for the roosting island is to provide an island with similar functions and benefits for birds. Construction of islands and/or shallow water ponds for water bird roosting is a

common practice. Typically, the major issues with construction involve erosion and eventual loss of the island/shallow pond and/or encroachment of vegetation. Erosion problems are usually associated with location, gradient of the island banks/sides, and types of material used to construct the island. Islands with steep banks and located in areas with high wave fetch tend to erode quickly. For shorebird roosting islands and ponds, vegetation encroachment is a major issues. The shorebirds prefer open to sparsely vegetated land for roosting sites. Vegetation establishment can be addressed through substrate compaction or capping of the soil with a thick layer of shells or using highly saline soils.

Another expressed concern is the placement of the island in area that will provide appropriate long term habitat values. The habitat conditions within the Redwood City salt ponds could change significantly over the next few years assuming the ponds are purchased and large areas are restored to tidal marsh. It is also likely the agencies will want to retain some areas as managed pond environments and salt pan habitats (Goals Project 1999). If or as these conditions develop, water bird distribution and habitat use will change and areas that may currently be important for roosting, may not be as desirable in the future. Under current conditions, the best mitigation option, if available, would be to recreate and low, island of similar size and configuration in the remaining portion of pond 10. Long term assumptions about future restoration, however, might indicate the roost would be of greater value at another location.

Since specific designs measures or the location for the relocated island are not known at this time, we have reworded the recommended measure to incorporate City review of the plans for the island as well as requiring additional coordination with the U.S. Fish and Wildlife Service and California Department of Fish and Game for determining an appropriate relocation site. The following measure is recommended to be included in the conditions for the project:

10. (revised) The applicant shall coordinate with the U.S. Fish and Wildlife Service and California Department of Fish and Game to determine an appropriate location for the recreating the roost site. The applicant shall also submit specific design plans for the island to Community Development Services for review and approval prior to obtaining the grading permits for the project. Community Development Services may accept written approvals from U.S. Fish and Wildlife Service and California Department of Fish and Game of roost site mitigation plan as evidence of compliance with this measure.

#### **IX-6. Predators**

**Comment:** Several commenters expressed concerns for potential increases in urban adapted predators and discussed the need for an active predator management program.

**Response:** Predator control and monitoring are briefly discussed on pages 18 and 19 of the Biological Report and two mitigation measures to address this issue were provided. Both measures were modeled after and are consistent with the requirements for the adjacent Pacific Shores Center site and involve measure to limit landscaping to trees that are not as likely to create nesting and roosting sites for raptors and ravens and the need for regular maintenance and monitoring. We

are reworded the measures and added additional conditions to strengthen the measures and identify the responsible party for implementation.

29. The applicant shall select and limit landscaping to species which are not considered to be problematic invasive exotics by the California Exotic Pest Plant Species Council. Trees and shrubs shall utilize the Landscape Tree Suitability Index developed for the Pacific Shores Center project. Only trees and shrubs with a High Landscaping Suitability Index rating (low potential for nest and roost sites) shall be used for general landscaping. High Suitability index trees shall exhibit at least two the following characteristics at tree maturity:

- ♦ Less than 20 to 25 feet in height; columnar shape; fine limbs; or closed, dense crown structure.

30. The Marina Operator and any marina tenants shall implement and maintain best management practices (BMPs) to limit food sources and cover (nesting, roosting, and denning sites) for non-native and urban adapted predators. Applicable BMPs are listed in the following Table.

Table 1

**Best Management Practices to Minimize Urban-Adapted Predators**

**Reduce Or Eliminate Easy Accessibility To Food**

- Tight fitting lids should be kept on garbage cans.
- Pets should be fed indoors or outdoors only during daylight hours.
- Leftover pet food should be removed immediately.
- Water bowls should be emptied or taken in at night.
- Gardens should be frequently harvested.
- Windfall fruit should be frequently picked up.
- Never intentionally leave food outdoors for wild animals.

**Keep Cats Indoors**

- Participate in or promote the American Bird Conservancy's *Cats Indoors! The Campaign for Safer Birds and Cats* program.
- Prohibit cat feeding colonies in or near sensitive wildlife areas.

**Prevent Unwanted Breeding**

- Sterilize cats by neutering males and spaying females.

**Minimize Cover and Denning/Nesting Sites**

- Clean up rubbish and debris piles.
- Reduce outdoor wood piles or stacks; keep fire wood in enclosed, tightly-sealed structures.
- Seal cracks and holes in walls and foundations.
- Screen off covered niches in roofs on homes and commercial buildings to block off access to covered nesting and roosting site.
- Encourage use of landscaping plants that do not provide attractive cover/nest sites for predators; discourage use of low shrubby ground cover, ivy, and palms trees greater than 20 feet in height at maturity.

Sources of Information:

*Reducing Cat Predation on Wildlife* by Frank Gray. Outdoor California. May-June 1999

*Cats and Wildlife, A Conservation Dilemma* by J.S. Coleman, S.A. Temple, and S.R. Craven. Cooperative Extension, Madison WI.  
<http://www.wisc.edu/wildlife/e-pubs.html>

*Managing Raccoon Problems* by Rickert Nature Preserves.  
<http://www.wholoweb.com/cannon/raccoon.htm>

The Harbor Master will have the responsibility for ensuring compliance with these measures.

**31. The applicant shall develop and implement an ongoing education plan informing the tenants and public users of the need to follow the BMPs for minimizing predators.**

**32. Operator/Harbor Master shall prohibit the establishment of feral cat feeding stations on the property.**

#### **VIII-7. Invasive Cordgrass**

**Comment:** Several commenters stressed the need to remove nonnative cordgrass from the marina in order to help prevent the spread of this invasive species.

**Response:** Several species of nonnative cordgrass (*Spartina* spp.) have become established in San Francisco Bay and in many areas are displacing and hybridizing with the native cordgrass (*Spartina foliosa*). There is also concern that the nonnative cordgrasses will have other significant effects on the ecology of the estuary. The following mitigation measure has been added to address this issue:

**33. The Marina Operator/Harbor Master shall coordinate with the invasive *Spartina* control group and shall annually remove invasive cordgrass from marina property until regional control efforts are discontinued.**

#### **V-8. Water Quality**

**Comment:** Concerns were raised over the potential effects of marina on water quality. Potential spills and leaks from the proposed fueling station were the stated concern of several commenters.

**Response:** The applicant, through his consultant Bohley Consulting, has provided additional information of the design requirements for the fuel facility. In addition, the Marina will be required to implement a number of other management measures to control nonpoint source pollution as part of the permits that will be necessary from the San Francisco Bay Regional Water Quality Control Board. The State Water Resources Control Board and other agencies have identified 17 management measures for marinas to address nonpoint pollution. These measures address siting and design criteria, operation and maintenance activities, and public education and outreach. Attached is a Fact Sheet published by the State Board summarizing these management measures. The marina operator will be required to implement these measures as part of the 401 certification or Waste Discharge Requirements that necessary from the Regional Board in order to

(30)

implement the project. The following measure has been added to provide proof of compliance with these measures.

- 34. The applicant shall develop a water quality control plan that address the State's NPS/CZARA Marina and Recreational Boating Management Measures and provide a copies of the Section 404 permit and authorization from the San Francisco Bay Regional Water Quality Board (401 certification or Waste Discharge Requirements) to Community Development Services in order to document that the Regional Board has reviewed and approved the plan. The plan and approvals shall be submitted prior to obtaining a grading permit for the project. Copies of any required monitoring for the Regional Board shall be submitted to City Planning Department.**

#### **INDIVIDUAL COMMENT LETTER RESPONSES**

##### **Letter A**

**U.S. Fish and Wildlife Service  
Sacramento Fish and Wildlife Office**

##### **A.VIII,IX-1 Satisfactory Conservation Plan**

The referenced conservation plan for listed species is a specific requirement for obtaining a Section 10(a) incidental take permit under the Federal Endangered Species Act. The compliance issues discussed in this comment are informational and is part of general or standard "boiler plate" information. A conservation plan as described in this paragraph is unlikely for the marina project. The marina will require permits from the U.S. Army Corps of Engineers. Because of the federal permit action, compliance with the federal Endangered Species Act will likely be done through the Section 7 consultation described previously in the comment letter. A conservation plan is not required under the Section 7 consultation process. This compliance process is directly related to federal regulatory requirements that will need to be complied with before the marina can obtain the required federal approvals.

##### **A.IX-2 Creation of Equivalent Habitat for Listed Species**

The Service states that habitat degradation for listed species, specifically the California clapper rail and least tern, would necessitate acquisition or creation of equivalent habitat to offset losses to these species. The comment identifies several areas where the project may effect listed animal species habitat:

- feeding and resting habitat for the least tern in the salt evaporation pond and shallow mudflats along Westpoint Slough, and
- clapper rail the salt marsh along southern edge of Westpoint Slough and restored salt ponds adjacent to the marina.

The Service also expressed concern for loss of salt marsh/pickleweed communities in the drainage channel between the marina and Pacific Shores Center.

The presence of and potential impacts to federally-listed endangered species is discussed in the Biological Report. Our conclusion is that the proposed marina project is unlikely to result in the significant loss of habitat for these listed species.



(31)

The **least tern** can occur throughout San Francisco Bay and, historically, a small nesting colony existed on Bair Island. However, at the present time there are only three known colonies in the Bay Area: Alameda, Pittsburg Power Plant, and Oakland Airport. After the nesting season, least terns tend to move to post-breeding foraging areas which provide opportunities for young birds to practice foraging skills (Goals Project 2000). These post-breeding areas are located in the South Bay and are typically associated with "intake" salt ponds. Shallow tidal areas are also used. While Westpoint Slough provides the shallow tidal areas, the marina site is a bittern pond and does not support the types of food resources (small fish) required by the least tern and there are no intake salt ponds in the immediate area that would provide attractive habitat for this species. While least terns could occasionally roost on the island (although we are not aware of any records), we believe that such use is likely sporadic and that the site is not likely a significant use area. For reference, the Service was concerned about disturbance to the roost site in Pond 10 from the Pacific Shores Center project, the Service determined that the Pacific Shores Center project was not likely to adversely affect the least tern (Service 1998). Please see General Response 5 for further discussion of the roosting island mitigation and siting considerations.

The Service expressed concern about the potential for impacts to **clapper rail** habitat following any tidal marsh restoration in pond 10 and the small fringe marshes along Westpoint Slough. As discussed in the General Response IX-2 for Disturbance to Adjacent Salt Ponds, above, purchase negotiations between Cargill and the State and Federal governments do not include the Redwood City bittern pond (pond 10). Potential future actions or conditions in pond also do not have bearing on take under federal regulations or under CEQA. CEQA bases impacts on conditions as they exist in the present time. With respect to the slough fringe marshes, these marshes may provide occasional habitat for the clapper rail, but are not of sufficient size to support breeding habitat. Clapper rails prefer larger marshes with numerous drainage channels for foraging and cover. Based on information contained in Evens and Collins (1992), it would take on the order of about 15 acres of marsh to support one breeding pair of clapper rail. The fringe marshes adjacent to the site are 3 to 4 acres. In any case, the applicant has agreed to fence the perimeter of the marina in this area to prevent access to these areas (see General Comment Discussion 2 and Mitigation Measure 26).

The Service's comment does not specifically mention the listed species of concern for the salt marsh/pickleweed community affected in the drainage channel between the marina site and Pacific Shores Center. The ditch does not provide habitat for the clapper rail. As discussed in the Biological Report, clapper rail are dependent on tidal marsh habitats. The ditch is nontidal and lacks sufficient size to support this species. In the Biological Opinion for the Pacific Shores Center Project, the Service did not consider this ditch as habitat. This ditch also would not provide good foraging habitat for least tern. This species prefers more open water such as bays, inlets, and intake ponds. The only other potential listed species is the salt marsh harvest mouse. Extensive trapping studies on the Pacific Shores Center in 1989 and 1992 did not find this species to be present in the ditch or on the site.

Therefore, our conclusion is that additional habitat mitigation to offset habitat losses for impacts to endangered species habitat is not warranted.

#### **A.XII, 5-3 Spills of Fuel and Other Hazardous Materials**

Please see response to General Impact Discussion V-8.

#### **A.V-4 Stormwater Runoff Filtration System**

As part of the standard NPDES permit requirements, the applicant will be required to implement stormwater runoff management measures for both construction and long term operation. In addition, the Marina will be required to implement a number of other management measures to control nonpoint source pollution as part of the permits that will be necessary from the San Francisco Bay Regional Water Quality Control Board. Additional information on required management measures is presented in the attached State Water Resources Control Board NPS/CZARA fact sheet for marinas and Recreational Boating. Evidence of compliance with these measures is provided through existing mitigation measure 11 which requires the applicant to obtain all necessary permits from the San Francisco Bay Regional Water Quality Control Board. As discussed in response to general comment topic V-8, the project will require a Section 401 water quality certification or, more likely, the Board may issue Waste Discharge Requirements (WDRs) for the facility. For projects such as this, the Board prefers to issue WDRs over certifications because the WDRs allow the State to maintain regulatory oversight and require annual monitoring of compliance.

#### **A.V-5 Limit Use To Boats With 4-Cycle Motors**

The Service and other commenters recommended limiting outboard motors to 4-cycle motors. Outboard motors are regulated by the USEPA and State Air Resources Control Board under regulations adopted in 1998. Current regulations require all new motors for outboards, personal water craft and jet boats beginning in 2001 to be 75% cleaner than previous industry standards. By 2008, the standard increases to 90%. These standards have been met with 4-cycle engines as well as new and improved 2-cycle outboards with direct-injection and catalytic converters. While the regulations do not require older, less efficient 2-stroke motors to be eliminated, the regulatory agencies with the primary regulatory authority for air and water pollution have established regulations that govern outboard motor use for the protection of air and water quality. Without further justification of significant adverse effects, it doesn't seem justified to impose additional significant constraints on this marina operation that may not be enforceable.

#### **A.XII-6 Hazardous Materials Testing**

The Service recommends that the material used for the construction of the site be tested for hazardous materials. Existing mitigation measure 16 addresses this issues and requires the applicant to obtain all necessary clearances from the San Mateo County Health Services Agency pertaining to soil contamination prior to construction.

#### **A.IX-7 Disturbance to Greco Island**

Please see response to general topic response IX-1.

#### **A.VIII, IX-7 Vegetated Buffer Strip**



The Service recommends that an 85 to 90-foot wide vegetated buffer strip be established between the developed portions of the marina along the drainage canal and between the marina and salt ponds to the south. Vegetated buffers of this width are not practicable for this site. For the drainage channel, there is little rational or need for significant buffers. The ditch is not a high intensity or valuable wildlife use area. For the adjacent salt pond, recommended mitigation measures 26 and 28 provide measures to minimize disturbance impacts. Please see response to general comment topic IX-2 for further discussion.

#### **A.VIII,IX-8 No Wake Policy**

Please see response to general topic response 9-1 and mitigation measure 21.

#### **A. IX, XI, XIII- 9 Lighting Study**

The Service expresses concerns that lighting on the property will adversely affect endangered species on Greco Island. Mitigation Measure 14 requires the applicant to submit a lighting plan with a photometric study for review and approval by Community Development Services, BCDC and U.S. Fish and Wildlife Service.

The Biological Report discusses the anticipated effects of light and glare on wildlife and the potential to impact on Greco Island. This impact is considered to be minimal. A lighting study was conducted for the adjacent Pacific Shores Center site. That analysis shows a relatively rapid degradation of the illumination from of the three to five story buildings on that site. At roughly 145 feet from the central, brightest portion of the building, the illumination level is approximately equal that of an average full moon (0.2 foot candle) at ground level. At 175 feet, the predicted value is 0.12 foot candle or half a value of the full moon. Basically, the analysis shows that by 175 to 200 feet away from the building illumination would reach background light levels. The Pacific Shores Center analysis concluded that the project would not increase light levels on Greco Island. Greco Island is 800 feet across Westpoint Slough from the closest office building. Light generation from the lower, maximum two story buildings on the marina would likely generate even less light.

Street or parking lot lighting are also not expected to add significantly to the ambient illumination. The City Standards for roadway lighting are 0.2 foot candles and the recommended standards for parking lots are 0.5 to 0.6 foot candles. Standard measures such as baffles and sharp cutoff angles to the lights will be employed to minimize glare as suggested in the Biological Report and as required for the Pacific Shores Center project would minimize any potential effects. The required lighting plan in Mitigation Measure 14 is designed to confirm this assessment and provide for resource agency concurrence of these findings.

#### **A.IX-10 Landscaping**

The Service recommends that the marina adopt the same landscaping standards as Pacific Shores Center. Mitigation measure 29 incorporates these standards. See the discussion for general response topic 9-6 for further information.

#### **A.VIII-11 Invasive Cordgrass**

See response to general response topic IX-7 and mitigation measure 33.

**A.V-12 Loss of Mudflat Habitat**

See responses to general topic comments IX-3, Maintenance Dredging, and IX-4, Increased Tidal Flows from the Marina.

**A.IX-13 Predator Control Program**

Please see response to general topic comment IX-6 and mitigation measures 30, 31, and 32.

**A.IX-14 Alternatives to Rip-rap**

As part of the BCDC permit requirements for the Pacific Shores Center project, Pete Bohley of Bohley Consulting and LSA evaluated alternative methods of shoreline protection to reduce the use of rip-rap and provide a medium for marsh plant establishment as is suggested by the Service's comment. We evaluated several brands of honeycomb structures such as Armorflex and GEOWEB which could meet these objectives. We reviewed available literature from the manufacturers and discussed the potential application on the site with the GEOWEB manufacturer. LSA also visited a site recommended by BCDC staff as an example where the GEOWEB material had been used by Caltrans for shoreline protection at a wetland mitigation site.

The GEOWEB manufacturer stated that their material and other similar products were not specifically designed for high wave impact shoreline protection uses such as along Westpoint Slough. They indicated the web cells would need to be backfilled with 4 to 6 inch aggregate material (rock or crushed concrete) to provide protection. The aggregate base recommended by the manufacturer would not provide a suitable medium for plant establishment. Pete Bohley was also concerned that the smaller aggregate material would wash out over time and need to be replaced.

We also looked at a Caltrans mitigation site where BCDC staff reported that the GEOWEB material had been "successfully" used for shoreline protection. The site is located off of the Highway 580 Central Avenue off ramp in Richmond. The Caltrans mitigation site is located on the northern shoreline of the Albany Mudflat. Caltrans installed the GEOWEB following similar recommendations that we received from the manufacturer: lower elevation areas were back filled with 4 to 6 inch aggregate and the higher banks were back-filled with topsoil and plant material. The aggregate and topsoil washed out within 3 months and Caltrans came back in and placed larger, standard-sized riprap over the GEOWEB.

Based on information from the GEOWEB manufacturer and the Caltrans' experience at the Albany Mudflat, we do not believe that the GEOWEB or other currently available honeycomb-type shoreline protection materials are practical for bayside shoreline protection in areas which would be subject to significant wave action such as occurs along Westpoint Slough.

The applicant has proposed similar rip-rap and shoreline design to that implemented for the adjacent Pacific Shores Center shoreline. This rip-rap is of the smaller sized material that does not create as suitable habitat for rodents.

**Letter B**

**Sequoia Audubon Society**

**Robin Smith**

**B.IX-1 Roosting Island Mitigation**

Please see response to general comment topic IX-5.

**B.IX-2 Mitigation for Lost Mudflat Feeding Habitat**

Please see response to general comment topics IX-3 and IX-4.

**B.IX-3 Prohibit Human Intrusion onto Greco Island**

Please see response to general comment topic IX-1. Mitigation measures 22, 23, and 24 address monitoring and enforcement issues.

**B.V,XII-4 Fuel Facility**

Please see response to general comment topic V-8.

**B.V-5 4-cycle Engines Only**

Please see response to Letter A, comment V-5.

**B.IX-6 Personal Watercraft**

The applicant has agreed to ban personal watercraft from launching at the marina. The following mitigation measure is recommended to incorporate this into the use permit.

35. Personal watercraft shall not be allowed in the marina.

**B.IX-7 Predators, Pets, and Cat Feeding Stations**

Please see response to general comment topic IX-6.

**B.IX-8 Education Programs**

Education programs for boaters and the general public regarding protection of endangered species as well as other wildlife are incorporated into mitigation measures 21, 24, 25, 31, and 34.

**Letter C**

**U.S. Fish and Wildlife Service  
San Francisco Bay NWR**

**C.IX-1 Concerns for Impacts**

The comments list 6 concerns regarding the potential for the marina to impact wildlife. These issues have been addressed in the Initial Study, Biological Report, and as appropriate, additional discussion and mitigation measures are presented in this response to comments document. Specifically, responses to these concerns are addressed in this document in the following responses:

- 1) Increased human presence and disturbance to Greco Island and project site tidal marshes - Please see response to general comment topics IX-1 and IX-2.
- 2) Increased erosion from boat wakes - Please see response to general comment topic IX-1 and Mitigation Measure 21.
- 3) Increased predator impact on wildlife - Please see response to general comment topic IX-6.

- 4) Distribution of exotic cordgrass - Please see response to general comment topic VIII-7.
- 5) Increased contaminants - Please see response to general comment topic V-8 and comment letter responses A.IV-4 and 5 and A.XII-6.
- 6) Mitigation for shorebird roosting and feeding sites - Please see responses to general comment topic IX-1, IX-2, IX-3, IX-4, and IX-5 and comment letter A.IX-2.

**C.IX-2 No Public Access Adjacent to Tidal Marsh**

Mitigation measure 26 is designed to provide this barrier. Please see response to general comment topic IX-2 for additional information.

**C.IX-3 No Wake Zone**

Please see response to general comment topic IX-1. Mitigation measure 21 addresses establishment of the no wake zone in Westpoint Slough.

**C.VIII, IX-4 Landscaping To Prevent Invasive Species and Predators**

Mitigation measure 29 incorporates as Pacific Shores Center for landscaping as recommended by the U.S. Fish and Wildlife Office, Sacramento Fish and Wildlife Office. See the discussion for general response topic 9-6 for further information.

**C.VIII-5 Invasive Cordgrass**

Please see response to general comment topic VIII-7. Mitigation Measure 33 requires ongoing removal of invasive cordgrass.

**C.IX-6 Predators**

Please see response to general comment topic IX-6.

**C.IX-7 Alternatives to Rip-rap**

Please see response to comment letter A.IX-14.

**C.IX-8 Litter and Garbage as an Attractant to Predators**

Please see response to general comment topic IX-6. BMPs listed in Mitigation Measure 30 are consistent with and incorporate these recommendations.

**C.V, XII-9 Water Quality Contamination**

Please see response to general comment topic V-8. Mitigation measure 34 requires the applicant to develop a water quality control plan that meets the State's NPS/CZARA requirements. This measures address issues related to fuels, stormwater runoff, and sewage disposal.

**C.V-10 4-cycle Motors Only**

Please see response to comment letter A.V-5.

**C.IX-11 Future Maintenance Dredging**

Please see response to general comment topic IX-3.

**C.IX-12 Tidal Flow Increase**

Please see response to general comment topic IX-4.

**C.IX-13 Roosting Island Mitigation**

Please see response to general comment topic IX-5.

**Letter D**

**Florence LaRiviere**

**Citizens to Complete the Refuge**

**D.IX-1 Additional Protection For Greco From Human Intrusion**

Please see response to general comment topic IX-1. Mitigation measures to protect Greco Island have been strengthened and added to address this issue.

**D.IX-2 Protections for Existing Marsh**

Please see response to general comment topic IX-2.

**D.IX-3 Alternatives to Rip-rap**

Please see response to comment letter A.IX-14.

**D.IX-4 Nonnative Cordgrass**

Please see response to general comment topic VIII-7.

**D.V-5 Water Quality**

Please see response to general comment topic V-8.

**D.IX-6 Coordination with State and Federal Wildlife Agencies**

Mitigation measures 10 (revised), 21, 25, 27, 32, 33, and 34 require coordination with and/or obtaining approvals from various state and federal agencies such as U.S. Fish and Wildlife Service, California department of Fish and Game, and Regional Water Quality Control Board.

**Letter E**

**Sanger and Olson**

**E.IX-17 Dredging**

Please see response to general comment topic IX-3.

**E.IX-18 Levee Work and Impacts to Drainage Ditch**

Please see response to general comment topic A.IX-2 for discussion of impacts to the drainage ditch.

Proposed levee work is consistent with the construction procedures used for the Pacific Shores Center site and was designed to minimize impacts to the Westpoint Slough Shoreline. No additional mitigation measures were deemed necessary. The applicant will also be required to obtain permits from BCDC, Corps and Regional Water Quality Control Board for the work.

**E.V-19 Water Quality Impacts and Mitigation Measures**

Please see response to general comment topic V-8.

**E.IX-\_\_\_ Construction Noise and Disturbance**

The commenter questions the cumulative effects of construction from Pacific Shores and the Marina on wildlife using pond 10. Construction of the marina will eliminate the primary attractive habitat or value (the roosting island) to wildlife in

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pond 10. Several additional measures have been added to strengthen protections for adjacent habitats before and after construction.

**Letter F**  
**Greg Greenway**  
**Seaport Industrial Association**

**F.IV-\_\_ Build Up Of Sediment In The Channel And Nee For Future Dredging**  
Please see response to general comment topic IX-3 and IX-4.

**Letter G**  
**Michael Giari**  
**Port of Redwood City**

**IV,V-5 Erosion and Sedimentation**  
Please see response to general comment topic IX-3 and IX-4 which addresses the anticipated effects of the project on Westpoint Slough sedimentation, erosion/scour, and the need for future dredging.

In summary,

#### **RESPONSES RELATED TO TRAFFIC**

The following provides responses to comments from the City's consultant traffic engineer (RKH) for the Westpoint Marina project Initial Study. The responses were formatted in the same way as for the Biotic section of this report. Please note that the only vehicular traffic and circulation comments which were received for this project came from letter G. (Sanger and Olson letter for Pacific Shores). **No new mitigation measures are recommended here.**

##### **VII-1 Weekend project trip generation and impacts.**

Weekend traffic volumes on Seaport Boulevard are significantly lower during weekdays because significant volume of traffic is only 10-20% of its weekday traffic and weekend office park traffic is only 7-14% of its weekday traffic. While marina traffic may be at its highest on Sundays, the overall traffic on Seaport Boulevard will be significantly lower than weekday traffic. The marina project provides compatibility with other land uses served by Seaport Boulevard by not competing for weekday peak hour traffic capacity.

##### **VII-2 Restaurant and retail uses included in trip generation estimates.**

Trip generation rates used in the Westpoint Marina study are contained in the Institute of Transportation Engineer's publication, *Trip Generation*, 6<sup>th</sup> Edition, 1997. Many of the marinas studied in the ITE publication included "social and club activities, limited retail and restaurants." The trip generation rates used in the study are representative of the proposed marina.

##### **VII-3 LoS (Levels of Service) calculations, Seaport Blvd & Seaport Ct.**

The equations used in the calculation of average intersection delay look at all traffic through the intersection to calculate the average delay of all vehicles through the



intersection. There can be circumstances where the delay calculated with an increase in overall volume actually decreases. That usually occurs with lower volume intersections at high levels of service where the increased traffic is added to movements with lower than average delay.

#### **VII-4 Cumulative and Cumulative + Project analysis comparisons**

CEQA requires an analysis of cumulative traffic conditions. The traffic study for the Westpoint Marina evaluated Cumulative +Project conditions, the worst case scenario. LoS for cumulative conditions would be somewhat less. The actual project impacts are determined in the Existing (or Baseline) + Project scenario. Because of the uncertainties of estimating future development and its associated traffic generation, cumulative analysis is merely a milestone [point of reference].

#### **VII-5 Secondary point of access not assured**

The traffic study recommends that a secondary point of access be provided only for emergency purposes and suggests a location for such an access. The recommendation was made without regard to any legal arrangements that may or may not exist between the owners of abutting properties. It was made on the basis of a requirement by the Redwood City Fire Department and also reflects sound traffic safety engineering principals and practices.

#### **VII-6 Adequacy of parking analysis**

Projections of peak parking demand on the marina must be made on the basis of peak parking demands from similar facilities. The Westpoint Marina traffic study used two sources of parking generation upon which to draw the conclusion that the proposed parking supply should be adequate to meet peak parking demands on the site. Unless there is an existing marina with facilities exactly identical to Westpoint Marina in which parking demands could be measured, there are no other sources of recognized parking data from which comparisons and conclusions can be drawn.

### **RESPONSES RELATED TO ENGINEERING ISSUES**

Staff has enclosed under separate cover, the applicant's responses related to engineering and construction issues (see Bohley Consultant's memorandum dated September 28, 2001) . The following 12 new mitigation measures (#36-48) are recommended for incorporation to the original mitigated Negative Declaration:

36. The project will participate in the "oil spill Prevention and Response" program managed by the California department of Fish and Game.
37. The project will incorporate in its design "Best Management Practice" in regard to storm water run off including complying with the recently adopted requirements of the regional Water Quality Control Board.
38. A buoy system will be installed approximately 100 feet from Greco Island with signs stating that Greco Island is closed to the public.
39. A no wake policy shall be adopted by the developer and enforced at all times by the designated project manager (Harbor master) for the marina as well as for Westpoint Slough.



40. The proposed dredging of Westpoint Slough from the Marina entrance to the centerline of the Slough will be accomplished outside of the Clapper Rail breeding season (Feb 1<sup>st</sup> to September 1<sup>st</sup>).
41. The Marina will have routine garbage collection as required by the City of Redwood City as well as San Mateo County Health ordinances.
42. The developer will coordinate with the Refuge authorities relative to the wording to be placed on signs regarding the protection of Greco Island.
43. The six foot high chain link fence that is proposed along the South side of the Marina to prohibit access to the remaining portion of Gargill bittern pond will be extended northwesterly along the existing levee to prohibit access to the existing marsh. Appropriate signage will also be developed with the appropriate authorities to explain the reason for the fencing.
44. The Developer will support the City in the development and enforcement (as determined by the City and other applicable agencies) of an ordinance prohibiting overnight mooring in Westpoint Slough.
45. An ongoing exotic cordgrass control program shall be developed and implemented within one year of the marina's operation to minimize sedimentation inside the marina.
46. Riprap, as approved for Pacific Shores shall be used for erosion control of levee banks.
47. The proposed connection to Westpoint slough will be dredged in an arc so that flows are directed Westerly toward Redwood Creek and not toward Greco Island.
48. Sewer facilities will be constructed to individual slips that will contain live-aboards. All of the sewage for the marina shall be constructed to standards approved by City engineering as well as the Coast Guard and the Department of Fish and Game, whichever is more restrictive.

## CONCLUSION

Staff believes that the subject mitigated Negative Declaration (as amended) is adequate per CEQA regulations. The proposed marina project conforms to the 'TP' zoning and "Open Space" land use designation for the project site and the surrounding area. Furthermore, the project site, in its current condition as a bittern pond can be considered as potentially hazardous to the biotic environment of the surrounding Bay area. The bittern pond's elimination and conversion to accessible waterway is considered a definite bonus for the boating community. The importance of monitoring the implementation of the mitigation measures to protect the sensitive habitat however is key to the successful integration of this project.

The following **City** permits are anticipated:

1. The applicant shall need to obtain a Use Permit from the Zoning Administrator of Redwood City in accordance with Sections 20.4 a. and Article 42 of the Zoning Ordinance (#1130). The Planning Commission's recommendation to the Zoning Administrator can only be made after certification of the environmental document.
2. The applicant shall obtain an architectural permit for the project prior to the initiation of construction

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3. The applicant shall obtain all necessary permits from the City, including the Building, engineering and Fire Departments, as deemed necessary by the City, prior to construction activities
4. The applicant shall obtain all necessary permits from the Port of Redwood City, as deemed necessary by the Port Authorities, prior to construction.

#### RECOMMENDATIONS

- Hold the public hearing and adopt the Negative Declaration.
- Recommend to the Zoning Administrator approval of a Use Permit to allow the subject marina facility based on the following:

##### Use Permit Findings:

1. That the proposed use is compatible with the general uses permitted in the Tidal Plain (or "TP") Zoning District such as Public recreation areas or facilities.
2. That similar uses have been granted in the "TP" zone and that such uses are currently operating compatibly within the same neighborhood zone.
3. That the proposed use is not expected to cause a detrimental impact to its surrounding uses.

##### Use Permit Conditions:

1. That all mitigation measures approved by the Planning Commission on the Negative Declaration (EA 10913-01, as amended) shall be made conditions of approval of this Use Permit.
2. That the applicant be fully responsible for insuring that these mitigation measures are complied with at all times, as applicable, inclusive of the attached Mitigation and Monitoring Plan. That written proof of compliance to these conditions, as applicable, shall be provided to the City by the applicant upon request, but at a minimum on a yearly basis.
3. That any changes to the approved Use Permit shall require review and approval from the Zoning Administrator prior to implementation.

#### ALTERNATIVES

1. Certify the Negative Declaration with different mitigation measures.
2. Hold the public hearing and recommend that an Environmental Impact Report (EIR) be prepared (An EIR will take three to five months to process, require at least a 45-day review period, and requires distribution via a State Agency).

*Charles Jany*  
Principal Planner

(TP)

*Tom Parham*  
Principal Planner